IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 20752 of 2007(U)

PETITIONERS:

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1. C.M.MYTHEEN, AGED 56 YEARS,
   S/O.LATE MAMU, DRIVER (RETIRED), K.S.R.T.C.,
   PERUMBAVOOR DEPOT, ERNAKULAM DISTRICT RESIDING AT
   CHIRACKAKUDY HOUSE, ALLAPRA P.O., PERUMBAVOOR,
   ERNAKULAM DISTRICT.

2. T.N.THAMPAN, AGED 55 YEARS,
   S/O.NARAYANAN, DRIVER (RETIRED), K.S.R.T.C.,
   RESIDING AT THACHOLIL HOUSE, VENGOLA PERUMBAVOOR,
   ERNAKULAM DISTRICT.

3. ALIYAR T.A., AGED 55 YEARS,
   S/O.AIMULLAH, DRIVER (RETIRED), K.S.R.T.C.,
   RESIDING AT THACHRUKUDY HOUSE, MUDICKAL,
   MARAMPILLY P.O., PERUMBAOOR, ERNAKULAM DISTRICT.

4. THYAGARAJAN, AGED 55 YEARS,
   S/O.KESHAVAN, DRIVER (RETIRED), K.S.R.T.C.,
   RESIDING AT PARUKKARAN,OKKAL P.O., PERUMBAVOOR,
   ERNAKULAM DISTRICT.

BY ADV. SRI.C.A.NAVAS
SRI.T.A.SHABEERALI
SRI.T.K.SASIKUMAR
SMT.C.S.SIMI

RESPONDENTS:
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1. THE MANAGING DIRECTOR,
   KERALA STATE ROAD TRANSPORT CORPORATION,
   TRANSPORT BHAVAN, EAST FORT, THIRUVANANTHAPURAM.

2. THE ASSISTANT TRANSPORT OFFICER,
   OFFICE OF THE DISTRICT TRANSPORT OFFICER,
   PERUMBAVOOR, ERNAKULAM DISTRICT.

3. SECRETARY, REPRESENTING THE STATE OF
   KERALA, TRANSPORT DEPARTMENT, GOVERNMENT OF
   KERALA, THIRUVANANTHAPURAM.

BY SC SRI. K. PRABHAKARAN.
BY GOVT. PLEADER SRI. K.J. MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No. 20752 of 2007

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Dated this the 6th day of July, 2007

JUDGMENT

Petitioners are retired employees of KSRTC. Prayer is to pay pensionary benefits.

2. Heard counsel for the Corporation also.

3. As far as Commutted value of pension and DCRG are concerned, petitioner have not made out a case for deviation from the seniority. But I feel that they should be paid Provident Fund with statutory interest and Staff Welfare Fund.

Accordingly the writ petition is disposed of with a direction to the first respondent to disburse the entire amount due as Provident Fund with statutory interest from the due date till the date of payment and Staff Welfare Fund within a period of ten weeks from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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